



Morocco

Country Reports on Human Rights Practices - [2002](#)

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The Constitution provides for a monarchy with a Parliament and an independent judiciary; however, ultimate authority rests with the King, Mohammed VI, who presides over the Council of Ministers, appoints or approves members of the Government, and may, at his discretion, terminate the tenure of any minister, dissolve the Parliament, call for new elections, and rule by decree. Since the constitutional reform of 1996, the bicameral legislature consists of a lower house, the Chamber of Representatives, which is elected through universal suffrage, and an upper house, the Chamber of Counselors, whose members are elected by various regional, local, and professional councils (members of whom are elected directly). The Lower House of Parliament also may dissolve the Government through a vote of no confidence. In September the country held parliamentary elections for the lower chamber that were widely regarded as the first free, fair, and transparent elections in its history. There were instances of administrative mistakes that hampered the voting process in some areas. There were some charges of party members engaging in vote-buying and other irregularities, which the Government was continuing to investigate at year's end. The entire voting process was changed, and was confusing to some voters, which may have reduced turnout (52 percent). Unlike in the past, the Ministry of the Interior oversaw the elections in a manner widely regarded as fair, and actively pursued those who violated electoral laws. The King consulted with the heads of the major political parties concerning the formation of a new government and appointed nonparty member and former Interior Minister Driss Jettou as the new Prime Minister. The judiciary remained subject to government influence and corruption, although government reforms aimed at improvement.

The security apparatus included several overlapping police and paramilitary organizations. The Border Police and the National Security Police were departments of the Ministry of Interior; the Judicial Police lay within the jurisdiction of the Ministry of Justice; and the Royal Gendarmerie reported to the Palace. Civilian authorities maintained effective control of the security forces. Some members of the security forces continued to commit serious human rights abuses, although such abuses decreased somewhat during the year.

The country had a population of approximately 30,645,000. The economy was based on large phosphate reserves, a diverse agricultural sector, fisheries, a sizable tourist industry, and a growing manufacturing sector. Citizens working abroad were a source of substantial remittances. The Government expected a real GDP increase of 4.2 percent for the year. One in five citizens lived in poverty.

The Government generally respected the rights of its citizens in most areas; however, the Government's record was generally poor in a few areas. Citizens lacked the full ability to change their Government. There were two reported deaths in police custody and several prisoners have died while incarcerated. While there were some well-publicized prosecutions for abuses by security forces, the failure to prosecute most other cases raised concerns regarding the Government's commitment to resolving the problem.

Authorities, at times, arbitrarily arrested and detained persons. Human rights groups did not believe that the Government disclosed all the information about citizens who were abducted from the 1960s through the 1980s. At times, the authorities infringed on citizens' privacy rights. Prison conditions remained harsh. The Judiciary lacked independence.

A new Press Code did not change the situation substantially and freedom of the press remained restricted. The police violently dispersed peaceful demonstrations several times during the year. The Government limited freedom of religion. Human rights awareness training continued. Domestic violence and discrimination against women were common. The Government violated worker rights, subjecting unions to government interference, restricting the right to strike and the right to form unions, and using security forces to break up strikes. Child labor was a problem, and the Government did not act forcefully to end the practice of the illegal employment of young girls who were subjected to exploitative domestic servitude. Trafficking in persons was a problem. Morocco was invited by the Community of Democracies' (CD) Convening Group to attend the November 2002 second CD Ministerial Meeting in Seoul, Republic of Korea, as a participant.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports of politically motivated killings.

In January the local branch of the Moroccan Association for Human Rights (AMDH) alleged that Omar Aouad died as a result of torture in the Kenitra prison. The authorities questioned some prison officials. There was no further action taken during the year.

On November 28, Mohamed Boucetta, imprisoned for petty crime, reportedly died in custody in Laayoune prison in the Western Sahara. According to Saharan activist groups, he told family members two days before his death that he was being tortured and an autopsy indicated that "blows and wounds" caused his death. A prison warden was reportedly in custody concerning the death, and the prison director was reportedly suspended. Media reports suggested that fellow inmates beat him to death. An investigation was ongoing at year's end (see Section 1.c.).

In 2001 a policeman was tried and convicted of torture resulting in the death of a person in custody in Sale. In February he was found not guilty on appeal; however, another policeman was convicted in the same case and was sentenced to 15 years' imprisonment (see Section 1.c.).

In July 2000, a Royal Armed Forces patrol took Mustapha Najaiji and another person into custody. According to the other person, the patrol beat Najaiji at a Ministry of Interior holding cell. The security forces reported Najaiji committed suicide by hanging himself. The second person later claimed Najaiji died from the beatings. The AMDH reported that the autopsy indicated that Najaiji had been the victim of violence before his death. No charges were filed in the case during the year (see Section 1.c.).

After a lengthy investigation, the trial of three policemen accused of manslaughter in the 1996 death in custody of Hassan Mernissi resumed in September 2000 and was still pending at year's end.

b. Disappearance

There were no new cases of confirmed disappearance. However, the AMDH claimed that the continued practice of incommunicado detention without informing family members of those detained was evidence of the continued practice of forced disappearance (see Section 1.d.).

The forced disappearance of individuals who opposed the Government and its policies occurred during several decades. In 1997 the Government pledged that such activities would not recur, and that it would disclose as much information as possible about past cases. The Government provided information and death certificates for many of those who had disappeared over the years. However, hundreds of families did not have any information about their missing relatives, many of whom disappeared over 20 years ago. Authorities stated that they released information on all confirmed disappearance cases.

After years of denying that Sahrawis (inhabitants of the former Spanish Protectorate of Western Sahara) were imprisoned in Morocco for military or political activity related to the Polisario Front (Popular Front for the Liberation of the Saguia el Hamra and Rio de Oro), an organization seeking independence for the region, the Government released more than 300 such prisoners in 1991. Entire families, and Sahrawis who had disappeared in the mid-1970s, were among those released. The Government failed to conduct a public inquiry or to explain how and why those released spent up to 16 years of incommunicado detention without charge or trial. The former Sahrawi detainees formed an informal association whose principal objective is to seek redress and compensation from the Government for their detention. They reported little progress during the year in gaining government recognition of their grievances.

Since October 1998, the Royal Consultative Council on Human Rights (CCDH) has released information regarding cases of disappearance. However, human rights groups and families continue to claim hundreds more cases of disappearances than the Government, which listed only 112. Many disputed disappearances are from the Western Sahara.

In June the AMDH, the Moroccan Organization for Human Rights (OMDH) and the Forum for Truth and Justice (FVJ) organized a "Caravan of Truth" to Kelaat, M'gouna, a notorious prison for political detainees in the 1970s. More than 500 people went to plead with the authorities to release all information on all the disappeared.

The CCDH also was responsible for assisting the Royal Arbitration Commission in providing compensation to victims of past human rights abuses, or their surviving family members, including Sahrawis. According to the CCDH, the Commission had resolved 422 cases, involving 1027 persons during the first 6 months of the year. However, numerous cases remained pending at year's end.

Nevertheless, human rights organizations continued to maintain that the compensation process was inadequate. Some groups also criticized the small number of cases settled, citing that thousands remained. The CCDH maintained that it completed the disappearance and Sahrawi cases and currently was investigating individual claims, which took longer to resolve.

Associations that sought information regarding those who have disappeared called upon the Government for full disclosure of events surrounding cases that date back to the 1960s. Associations in the Western Sahara that sought information on disappearances were not free from government interference; there were reports that some members of these associations were harassed and intimidated while seeking information regarding missing Sahrawis. Some also continued to be denied passports (see Section 2.d.).

c. Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

The law prohibits torture, and the Government claimed that the use of torture has been discontinued; however, some members of the security forces tortured or otherwise abused detainees. The Penal Code stipulates sentences up to life imprisonment for public servants who "use or oblige the use of violence" against others in the exercise of their official duties. By law, pretrial-investigating judges must, if asked to do so or if they themselves notice physical marks that so warrant, refer the detained person to an expert in forensic medicine. However, according to human rights groups, judges often ignored this requirement in practice. While there were some well-publicized prosecutions for abuses by security forces, the failure to prosecute most other cases raised concerns regarding the Government's commitment to resolving the problem.

In March approximately 50 off-duty soldiers assaulted civilians in El Hajeb, resulting in more than 20 persons injured (see Section 6.f.). The Gendarmerie arrested six of the soldiers, who were tried by a military court and sentenced to 2 months in prison.

The family of Mohamed Boucetta, who died in custody in Laayoune on November 28, claimed that he said that he was being tortured (see Section 1.a.).

In February 2001, as a result of police torture a person died in custody in Sale (see Section 1.a.).

No charges were filed, nor are likely to be, in the following cases of alleged torture in 2000: Mustapha Najiaji (see Section 1.a); Abderrahmane Jamali by police in Casablanca at the request of another person; two cases to extort money by a Royal Gendarmerie officer in Zaio; a Sahawari student in Marrakech after demonstrations; and a university student in Rabat also after a demonstration.

The Government continued to admit past torture and abuses. While it was not willing to prosecute those responsible, the Royal Arbitration Commission continued to hear and rule on claims and offer restitution to victims and has permitted human rights groups to organize conferences on the subject. In June Supreme Court President Driss Dahak, also President of the Royal Advisory Council on Human Rights, met with Inge Genefke, founder of the International Council for the Rehabilitation of Victims of Torture (a Danish NGO), to discuss financial compensation to victims and the importance of the rehabilitation process. Genefke also urged the Government to permit the U.N. Committee Against Torture to make confidential investigations in the country and to consider individual complaints.

During the year, police violently dispersed demonstrators (see Section 2.b.).

Prison conditions remained harsh, and did not generally meet international standards, despite some improvements in medical care and efforts to expand capacity. Separate facilities were nonetheless maintained for men and for women and for minors. Pretrial detainees were not held separately from convicts.

Extreme overcrowding, malnutrition, and lack of hygiene continued to aggravate the poor health conditions inside prisons. Several fires at prisons, including one in November at El Jadida that claimed 50 lives, raised anxiety about poor incarceration conditions.

In June the Observatory of Moroccan Prisons (OMP) alleged that 12 percent of prisoners were minors that the prison administration failed to protect. The OMP continued to call attention to problems of corruption, maltreatment, malnutrition, sexual abuse, lack of training and education, drug abuse and violence within the prisons, as well as the issue of incarcerating first-time offenders with hardened criminals.

The Government permitted monitors from international humanitarian organizations to visit prisons, including those holding alleged "political prisoners"; however, no organizations visited such prisoners during the year.

d. Arbitrary Arrest, Detention or Exile

The Constitution does not prohibit arbitrary arrest or detention, and police continued to use these practices. Although legal provisions for due process have been revised extensively in recent years, reports indicated that authorities sometimes ignored them. Although police usually made arrests in public and during the day, they did not always identify themselves and did not

always obtain warrants. Preventive detention is limited to 48 hours, with one 24-hour extension allowed at the prosecutor's discretion. In state security cases, the preventive detention period is 96 hours; the prosecutor may also extend this time. Defendants are denied access to counsel during this initial period, which is when the accused is interrogated and abuse or torture is most likely to occur. There is no access to family members during the initial period. Some members of the security forces, long accustomed to indefinite precharge access to detainees, continued to resist the time limits.

The police were required to notify a person's next of kin of an arrest "as soon as possible." However, lawyers were not always informed promptly of the date of arrest, and thus were not able to monitor compliance with the preventive detention limits. While the law provides for a limited system of bail, it rarely was granted. However, defendants in some instances were released on their own recognizance. The law does not provide for habeas corpus or its equivalent. Under a separate military code, military authorities may detain members of the military without warrants or public trial.

Although accused persons generally are brought to trial within an initial period of 2 months, prosecutors may request up to five additional 2-month extensions of pretrial detention. Thus, an accused person may be kept in detention for up to 1 year prior to trial.

In July Human Rights Watch claimed that about 80 persons had been arbitrarily arrested for al-Qa'ida involvement. Tangier Islamist Abdelouahed Bekhout, accused of al-Qa'ida ties, was released after 40 days confinement on July 12, due to lack of evidence. Most of the remaining detainees were also released.

The law provides for forced exile; however, there were no known instances of its use during the year.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary; however, the courts were subject to extrajudicial pressures, including government influence. Some members of the judiciary were corrupt and delays were lengthy in some cases. The Government continued to implement reforms intended to increase judicial independence impartiality, and efficiency.

There are four levels in the common law court system: Communal and district courts; courts of first instance; the Appeals Court; and the Supreme Court. While in theory there is a single court system under the Ministry of Justice, other courts also operate, including: The Special Court of Justice, which handles cases of civil service corruption; administrative courts; commercial courts; and the military tribunal, which also tries state security cases on certain occasions (although the Government may also direct state security cases to the regular court system).

Although there is a single court system for most nonmilitary matters, family issues are adjudicated by a Family Court system formed in July whose judges are trained in Shari'a (Islamic law) as applied in the country. It is not necessary to be a lawyer to become a judge, and the majority of judges are not lawyers. All new judges are graduates of a 3-year training program.

In general detainees are arraigned before a court of first instance. If the judge determines that a confession was obtained under duress, the law requires him to exclude it from evidence. However, according to reliable sources, cases often were adjudicated on the basis of forced confessions.

While appeal courts may in some cases be used as a second reference for courts of first instance, they primarily handle cases involving crimes punishable by 5 years or more in prison. In practice defendants before appeals courts who are implicated in such crimes consequently have no method of appeal. The Supreme Court does not review and rule on cases sent to it by courts of appeal; the Supreme Court may overturn an appellate court's ruling on procedural grounds only. The absence of appeals for defendants in such crimes therefore becomes more problematic given the fact that an investigation into the case by an examining magistrate is mandatory only in those crimes punishable by sentences of life imprisonment or death.

There was some progress in judicial reform, especially in public corruption and judicial disciplinary cases. Efforts continued with modest success to increase efficiency and to end petty corruption, which, according to most observers, remained a routine cost of court business. Additionally, the court system remained subject to extrajudicial pressures.

In June in a well publicized public corruption case, 10 people accused of embezzling tens of millions of dollars from the Caisse Nationale du Credit Agricole (CNCA) were sentenced to 2 to 12 years in prison. Former Minister and ex-head of CNCA Rachid Haddaoui was sentenced to four years' imprisonment. Nine others received sentences totaling 49 years in prison. In addition, the court ordered the reimbursement of approximately \$7.4 million (74 million dirhams).

The law does not distinguish political and security cases from common criminal cases. At the Government's discretion, serious state security cases such as those relating to the Monarchy, Islam or territorial integrity may be brought before a specially constituted military tribunal, responsible to the military and the Ministry of Interior.

Aside from external pressures, resource constraints also affected the court system. Although the Ministry of Justice provides an attorney at public expense for serious crimes (when the offense carries a maximum sentence of more than 5 years), appointed attorneys who were not paid enough often provided inadequate representation.

During the year, sensitive human rights issues arose in some cases, most of which were covered openly and extensively by national and international media. Defense attorneys continued to claim that judicial processes in these cases were marked by significant irregularities, and that such irregularities infringed on the right to a fair trial for the accused.

In July 2001, Ahmed Boukhari, a former intelligence agent, made public allegations regarding the Government's role in the 1965 Paris disappearance of socialist leader Mehdi Ben Barka. Authorities subsequently brought charges against him for writing bad checks, and former colleagues successfully sued him for defamation. He served 3 months in prison on the check charge and 3 months on the defamation charge, and he paid fines in both instances.

The Ben Barka case continued to embarrass the Government. Most observers saw the cases against Boukhari as heavy-handed attempts to prevent him from talking about the Ben Barka disappearance. Nevertheless, it was freely covered in the Moroccan press. At year's end, the Government had not responded to Boukhari's request for a passport in order to travel to provide testimony in a French court.

In 1999 and 2000, Mustapha Adib, an Air Force captain, was convicted and reconvicted after the initial conviction was reversed in two military trials for violating the Military Code and libeling the military. The authorities detained Adib after he spoke out against military corruption and harassment to a journalist from the French newspaper *Le Monde*. The sentence was 2 ½ years in prison, and expulsion from the military. The incident remained a focus of public interest. The truth regarding Adib's accusations of corruption was not a defense and, in fact, never was contested. After his release, Captain Adib gave a number of press interviews. He ran for Parliament but was not elected.

The Government did not consider any of its prisoners to be political prisoners; however, Amnesty International (AI) identified 60 persons whom it considered to be political prisoners.

Various international human rights groups' estimates of the number of persons in prison for advocating independence for the Western Sahara varied from zero to 700. No consensus on a definitive number was reached. Conditions in the Western Sahara complicate attempts to confirm whether Sahrawis were imprisoned solely for their political affiliation or open advocacy of independence, or for other actions in violation of the law. The AMDH claimed that it knew of no persons imprisoned for having solely overtly advocated independence.

f. Arbitrary Interference with Privacy, Family, Home or Correspondence

The Constitution states that the home is inviolable and that no search or investigation may take place without a search warrant, and the law stipulates that a search warrant may be issued by a prosecutor on good cause; however, authorities sometimes ignored these provisions.

Government security services monitored certain persons and organizations, both foreign and domestic, and government informers monitored activities on university campuses.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of expression; however, the law permits prison sentences and financial penalties for journalists and publishers who violate its restrictions on defamation, libel and discussion regarding three topics: The Monarchy; territorial integrity; and Islam. The Press Code lists threats to "public order" as one of the criteria for the censor to consider. Within these limits, newspapers and weeklies were published across the political spectrum and were sometimes critical of government policies.

Government control of the media generally was exercised through directives and "guidance" from the Ministry of Interior. Publications that were judged offensive could be confiscated or indefinitely suspended. The Government may censor newspapers directly by ordering them not to report on specific items or events. The Government registered and licensed domestic newspapers and journals and could use the licensing process to prevent the publication of materials that exceeded its threshold of tolerable dissent. The Ministry of Interior could control foreign publications by removing "banned" publications from circulation.

In February the Government passed a new Press Code; however, its substantive changes from the 1958 Code were minimal. The Code reflected compromises over differences between party-oriented officials of the previous Government, who wanted increased press freedom, and more conservative officials in the national security, justice, and religious ministries directly appointed by the King. The Government claimed that the bill guaranteed the citizen's right to information, journalists' right to access information, and respect for the practice of journalism while respecting the Constitution, the law and ethics. The new Press Code was not well received by the Moroccan National Union of Journalists (SNPM), various political parties, human rights groups, and international NGOs.

The new law requires the Ministry of the Interior to justify to the courts any seizure or banning of domestic or foreign

publications, suspension of the publisher's license, or destruction of equipment. The law continues to provide for jail sentences (3 to 5 years, rather than the 5 to 20 of the 1958 law), fines, and payment of damages for newspaper officials found guilty of libeling public officials.

There were approximately 2,000 domestic and foreign newspapers, magazines, and journals in circulation during the year. The Government owned the official press agency, Maghreb Arab Press (MAP), and the Arabic daily newspaper, Al-Anbaa. The Government also supported two semiofficial dailies, the French-language Le Matin and the Arabic-language Assahra Al Maghribia. In addition the Government subsidized the rest of the press through price controls for newsprint and office space. The Government generally tolerated satirical and often stinging editorials in the opposition parties' dailies. The media continued to engage regularly in self-censorship to avoid possible sanctions.

The Government owned Moroccan Radio-Television (RTM). Another major broadcaster was the French-backed Medi-1, which operated from Tangier. While nominally private and independent, Medi-1 practiced self-censorship, as do other media outlets. A government-appointed committee monitored broadcasts. The Government owned the only television stations whose broadcasts could be received in most parts of the nation without decoders or satellite dish antennas. Dish antennas were in wide use throughout the country. The Government did not impede the reception of foreign broadcasts during the year.

In January the director of the print shop "Safagraphic" accused the secret services of causing \$15,000 (150,000 dirhams) damage to his shop, which printed the books and publications of the Islamist Justice and Charity Organization (JCO).

In February the Casablanca Court of Appeals commuted to suspended terms the prison sentences and reduced the fines of the directors of the weekly Le Journal, whom the Minister of Foreign Affairs, Mohamed Benaissa, had sued for libel.

In April an independent weekly, Le Reporter, claimed that an issue of the Al Ayyam newspaper had been banned for publishing an interview in April with attorney Aderrahim Berrada, in which he said that officials should ask public forgiveness for human rights violations in the country.

In May authorities seized 8,000 copies of Issue No. 15 of the periodical Wajhat Nadhar. This issue contained an article and a transcript of an interview about the monarchy with Prince Moulay Hicham, a member of the royal family known for his liberal opinions, who is now in self-imposed exile. However, Demain Magazine later published a full transcript of the interview without incident.

In June the authorities apprehended Jam Roues, a member of the FVJ, while he was making photocopies of a pamphlet compiled during the Caravan of Truth movement, which he refused to turn over to the police. Another FVJ member contacted Interior Minister Driss Jettou, who ordered Roes' immediate release.

During the year, the Government banned French publications (Le Monde, Liberation, and VSD) for articles critical of the Monarchy.

The Government continued to block the publication of the JCO's newspapers Al Addle Awi Insane and Result Al Futaba throughout the year. The authorities blocked two of the JCO's web sites at the same time, with domestic access to them cut off.

In general the press published unflattering articles that would have been censored in past years. The press openly reported on topics such as government corruption and financial scandals, sensitive human rights cases, harsh prison conditions, torture, poverty, prostitution, violence against women, exploitation of child maids, and sexual abuse of children.

Many books that openly criticized Morocco's past were published and sold freely. Five books remained banned, all relating to disappearances and the regime of King Hassan II.

The Government did not block Internet access generally, apart from JCO's Web sites.

Academic freedom was restricted. There was no open debate on the Monarchy, the Western Sahara, and Islam. Government informers monitored campus activities, mostly Islamist, and the Ministry of Interior approved the appointments of rectors (see Section 1.f.).

b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly; however, the law also permits the Government to suppress peaceful demonstrations and mass gatherings, and at times during the year police forcibly prevented and disrupted gatherings. Most conferences and demonstrations required the prior authorization of the Ministry of Interior, ostensibly for security reasons. Local observers generally agreed that the authorities required a declaration of a public meeting and their own authorization in order for public-venue meetings to proceed, and the authorities only allowed meetings to proceed that they considered non-threatening.

In January police violently dispersed 60 unemployed blind people demonstrating in front of the Parliament in Rabat. Many were injured and 17 were hospitalized.

In February security forces violently dispersed unemployed graduates and journalists in front of Parliament. The unemployed graduates were protesting, and the journalists were planning to attend a press conference on the new Press Code, called by the National Union of the Moroccan Press (SNPM) Secretary General Younes Moujahid. More than 60 demonstrators were injured, 11 seriously. More were injured when the security forces refused to allow additional ambulances to respond.

During the year, most meetings and marches took place peacefully without government interference. In April Rabat experienced the largest demonstration in the country's history, in support of the Palestinians. Conservative estimates placed the crowd at 250,000. The demonstration was peaceful, and the authorities acted with restraint.

Other peaceful demonstrations during the year included: An FVJ sit-in and hunger strike to raise awareness about former political prisoners; an Islamist union sit-in in front of the Education Ministry to protest the nonapplication of the new statute for teachers; and a sit-in to protest the provision of water and electricity as insufficient, irregular, and expensive.

However, there were instances of improper official intervention (and one case of non-action) during the year. In January, for example, unemployed doctors marched in Rabat. Police intervention resulted in several injuries, and spectators condemned the violent reaction by the authorities. In February four journalists, covering a demonstration of unemployed university graduates, were beaten by police with clubs. Also in February, an Islamist student faction occupied the University of Mohammedia and assaulted numerous other students, while also unlawfully seizing campus facilities. The authorities did not intervene to stop these activities. In April the authorities prevented, for the second time, a demonstration in support of the Berber rights movement in Kabylie, Algeria.

The Constitution provides for freedom of association; however, the Government limited this right in practice. Under a 1958 decree, which was amended substantially in 1973 to introduce restrictions on civil society organizations, persons who wished to create an organization were required to obtain the approval of the Ministry of Interior before holding meetings. In practice the Ministry used this requirement to prevent persons suspected of advocating causes opposed by the Government from forming legal organizations. Historically, extreme Islamist and leftist groups encountered the greatest difficulty in obtaining official approval. Although there were over 20 active Islamist groups, the Government prohibited membership in two, the JCO and Jama'a Islamia, due to their anti-Monarchist orientation. The Ministry of Interior, which has used this power to control participation in the political process, also must approve political parties. However, individual Islamists are not barred from participating in recognized political parties.

Prior to the September Parliamentary elections, the Government decreed that any existing political party that had not participated in at least two elections would be dissolved and that public aid would not be granted to any party that did not hold a congress every four years. To create a new party, a declaration must be submitted to the Interior Ministry, signed by at least 1,000 co-founding members from all regions of the country. Before the election 37 parties were in existence (many created during the year) and 26 of them ran candidates in the elections.

The Party for Justice and Development (PJD) was the only Islamist party that participated in the elections.

c. Freedom of Religion

The Constitution provides for freedom of religion and Jewish and Christian communities openly practiced their faiths; however, the Government placed certain restrictions on Christian religious materials and proselytizing, and several small religious minorities were tolerated with varying degrees of official restrictions.

The Government monitored the activities of mosques and placed other restrictions on Muslims and Islamic organizations whose activities were deemed to have exceeded the bounds of religious practice and become political in nature. The Constitution provides that Islam is the official religion, and designates the King as "Commander of the Faithful" with the responsibility of ensuring "respect for Islam."

The Government did not license or approve religions or religious organizations. The Government provided tax benefits, land, and building grants, subsidies, and customs exemptions for imports necessary for the observance of the major religions.

The Ministry of Islamic Affairs monitored Friday mosque sermons and the Koranic schools to ensure the teaching of approved doctrine. At times the authorities suppressed the activities of Islamists, but generally tolerated activities limited to the propagation of Islam, education, and charity. Security forces sometimes closed mosques to the public shortly after Friday services to prevent the use of the premises for unauthorized political activity. The Government strictly controlled the construction of new mosques. Most mosques were constructed using private funds.

The Government barred the Islamic JCO as a political party and subjected prominent members to constant surveillance and at times refused to issue passports to them. The Government continued to block JCO web sites and publication of newspapers (see Sections 1.f., 2.a., 2.b., and 3).

The teaching of Islam in public schools benefited from discretionary funding in the Government's annual education budget, as did other curriculum subjects. The annual budget also provided funds for religious instruction to the small parallel system of Jewish public schools.

A small foreign Christian community operated churches, orphanages, hospitals, and schools without any restriction or licensing requirement. Missionaries who conducted themselves in accordance with societal expectations largely were left unhindered. However, those who proselytized publicly faced expulsion. Islamic law and tradition called for strict punishment for any Muslim who converted to another faith. Any attempt to induce a Muslim to convert was illegal.

The Government permitted the display and sale of Bibles in French, English, and Spanish, but confiscated Arabic-language Bibles and refused licenses for their importation and sale, despite the absence of any law banning such books. Nevertheless, Arabic Bibles have been sold in local bookstores. This year, there were no known cases in which foreigners were denied entry into the country because they were carrying Christian materials, as has occurred in the past.

There are two sets of laws and courts—one for Jews and one for Muslims—pertaining to marriage, inheritance, and family matters. The family law courts are administered, depending on the law that applies, by rabbinical or Islamic authorities who are court officials. Parliament must authorize any changes to those laws.

The Government continued to encourage tolerance and respect among religions. In March the Government invited Israel to attend the International Parliamentary Union in Marrakech, despite protests. In May the organization "Al Ghadir" asked for official status. This is the first time an association of Shiite citizens asked for official recognition. No response was received from the authorities by year's end.

Beginning in June, several preachers and religious counselors were accused of exploiting mosques for political purposes, such as promoting Islamist parties. The Ministry of Religious Affairs and Endowments called for permanent control and monitoring of mosques to avoid their exploitation for political propaganda, such as disturbing pamphlets and raising funds.

For a more detailed discussion see the 2002 International Religious Freedom Report.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for freedom of movement; however, the Government restricted this right in certain areas. The Gendarmerie maintained checkpoints throughout the country, at which drivers' licenses and vehicle registrations were examined for validity. In the Moroccan-administered Western Sahara, authorities restricted movement in areas regarded as militarily sensitive.

The Ministry of Interior restricted freedom to travel outside the country in certain circumstances. In addition, all civil servants and military personnel must obtain written permission from their ministries to leave the country. The OMDH and AMDH compiled lists of individuals who reportedly were denied passports or who had passports but were denied permission to travel. The OMDH contended that the Government, in resorting to arbitrary administrative delays, continued to harass former political prisoners who sought to resume normal lives.

In February the FVJ demanded an explanation of the Government's refusal to allow Ahmed Boukhari a passport to travel to Paris to testify in court concerning the Ben Barka case (see Section 1.e).

The Government welcomed voluntary repatriation of Jews who had emigrated. Jewish emigres, including those with Israeli citizenship, freely visited the country. The Government also encouraged the return of Sahrawis who departed Morocco due to the conflict in the Western Sahara, provided that they recognized the Government's claim to the region. The Government did not permit Western Saharan nationalists who have been released from prison to live in the disputed territory.

The Government cooperated with the U.N. High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees. While the country has from time to time provided political asylum to individuals, the issue of first asylum never has arisen. The law does not contain provisions implementing the 1951 U.N. Convention relating to the Status of Refugees and its 1967 Protocol. There were no reports of forced expulsion of persons with a valid claim to refugee status.

Section 3 Respect for Political Rights: The Right of Citizens to Change their Government

Constitutional provisions establishing periodic free elections notwithstanding, citizens did not have the full right to change their government. The King, as head of state, appoints the Prime Minister, who is the titular head of government. Constitutional changes in 1992, retained in the Constitution of 1996, authorize the Prime Minister to nominate all government ministers, but the King may nominate ministers himself and has the power to replace any minister at will. The Parliament has the theoretical ability to change the system of government. However, the Constitution may not be changed without the King's approval. The Ministry of Interior appoints the provincial governors (walis) and district administrative officials (local caids). However, the King may nominate walis. Municipal and regional councils are elected. The Government consists of 39 cabinet-level posts, including 6 "sovereign" ministerial posts traditionally appointed by the King himself (Interior, Foreign Affairs, Justice, Islamic Affairs,

Defense Administration, and Secretary General of the Government).

On September 27, parliamentary elections were held. Despite some administrative problems and some allegations of misconduct by party officials and local politicians, most observers, both domestic and foreign, concluded that the elections were generally free, fair, and transparent, the first such elections in the country's history. According to observers, the absence of fraud and manipulation enhanced the credibility of reform efforts generally.

In preparing for the elections, Parliament re-wrote the Electoral Code in its entirety. The new Code included a proportional list system, plus a novel "national list" of 30 seats reserved for women, as a means to increase dramatically the number of women in Parliament. By the time of elections, approximately 37 parties representing mainstream views were in existence, and 26 of them ran candidates. The Government conducted a massive voter education campaign. However, 61 percent of the electorate was illiterate, requiring the ballots to use symbols for all 26 parties. Fifty-two percent of those eligible voted, according to government statistics. The Interior Ministry publicized election violations and moved swiftly to investigate them and prosecute those responsible.

The new Parliament consisted of the 30 women who gained seats reserved for women on the National List, plus five who won seats in their local districts. The previous Parliament had two women in the lower chamber. Women occupied 85 out of 22,600 seats of local communal councils throughout the country. Several proposed parties were not allowed to form during the year. The JCO never has been granted legal status as a political party (see Section 2.b.).

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Government cooperated with local human rights monitors, who acted within the generally accepted boundaries of political discourse in the country. There were three nationally organized and government-recognized nongovernmental human rights groups: The Moroccan Organization for Human Rights (OMDH), the Moroccan League for the Defense of Human Rights (LMDDH), and the Moroccan Association for Human Rights (AMDH). Former AMDH members formed a fourth group, the Committee for the Defense of Human Rights (CDDH), in 1992. There were also numerous regional human rights organizations. The Government maintained close relations with all of these groups and generally was responsive to them. The AMDH did not cooperate officially with the Government, but usually shared information.

Founded in 1979 and 1988, respectively, the AMDH and OMDH have spent years addressing human rights abuses, and at times were harassed and restricted by the Government. However, some of their former leaders during the year occupied high level posts in the Government, and AMDH and OMDH since 2000 have had "public utility" status, which conferred financial benefits such as government subsidies in recognition of their serving the public interest.

Two prominent national human rights NGOs, the Forum for Truth and Justice (FVJ) and the Moroccan Prison Observatory (OPM), were formed in 1999. Created by victims of forced disappearance and surviving family members, the FVJ's principal goal was to encourage the Government to address openly the issue of past forced disappearances and arbitrary detention. The OPM's main purpose was improving the treatment and living conditions of prisoners. These groups maintained fairly regular contact with government authorities throughout the year.

The Government's attitude toward international human rights organizations depended on the sensitivity of the areas of the NGOs' concern. The Government took a generally cooperative stance, even when some sensitive issues were touched upon, such as disappearances and abuses by security forces. In 2001 AI Secretary General Pierre Sane visited the country. Sane praised "the progress recorded by Morocco in the field of human rights and the methods by which the issue of detainees and exiles was dealt with." However, Sane urged the Government to improve its record regarding cases of political prisoners and the disappeared; he claimed that the Government held 60 political prisoners and had not accounted for 450 disappearances. Sane also urged the Government to investigate and prosecute those responsible for past crimes and abuses. An agreement between AI and the Government for a 10-year human rights education program was negotiated with the Ministry of Human Rights, and training began in September. The Ministry of Human Rights and the Ministry of Education provided human rights education for teachers, although by year's end the subject was not being taught in the classrooms.

In March the country's chapter of AI urged the Government to sign all international human rights conventions and to adapt laws to international standards concerning human rights.

The Government authorized the formation over the summer of a new independent NGO, the National Elections Observatory, to monitor the September 27 elections. Over 3,500 observers were trained and monitored the Parliamentary elections. The Royal Consultative Council on Human Rights (CCDH), a 12 year-old advisory body, counseled the Palace on human rights issues, and was the organization charged by the King to resolve cases related to persons who had disappeared. Despite recent changes in the composition and conduct of the Council, some human rights organizations urged further changes to increase the voice of civil society in the CCDH. In December the King appointed former Minister of Justice Omar Azziman as President and former political prisoner Driss Benzekri as the Secretary General of the CCDH. Benzekri was jailed for 17 years, and, since his release, had worked helping former political prisoners file claims for compensation. He was vice president of OMDH and a leader in FVJ.

The Government continued its efforts to institutionalize human rights training within the national school curriculum. In May a delegation from AMDH, OMDH, and FVJ met with the Interior Minister to urge speeding up the slow process of examining the files of victims of human rights abuses. The Government and NGOs hosted several human rights conferences throughout the year.

Section 5 Discrimination Based on Race, Sex, Disability, Language, or Social Status

The Constitution provides for the equality of all citizens; however, women faced discrimination in the law and in traditional practice.

Women

Spousal violence was common. Although a battered wife had the right to file a complaint with the police, as a practical matter she would do so only if prepared to bring criminal charges. While physical abuse legally was grounds for divorce, a court would grant a divorce only if the woman were able to provide two witnesses to the abuse. Medical certificates were not sufficient. If the court found against the woman, she was returned to her husband's home. Thus, few women reported abuses to the authorities. However, there was substantial progress in making the public aware of problems concerning women, children, the handicapped and minorities.

The Criminal Code provides for severe punishment for men convicted of rape or sexual assault. The defendants in such cases bear the burden of proving their innocence. However, sexual assaults often go unreported because of the stigma attached to the loss of virginity. While not provided for by law, victims' families may offer rapists the opportunity to marry their victims in order to preserve the honor of the family. Spousal rape was not a crime.

The law is more lenient toward men with respect to crimes committed against their wives. "Honor crimes," a euphemism that refers to violent assaults with intent to commit murder against a female for her perceived immodest or defiant behavior remained extremely rare. However, two cases of killings did occur in March. In Skhirat the father of 17-year old Hanna Bousalhi slit her throat and stabbed her for allegedly having a relationship with a male classmate. He was sentenced to 20 years in prison. In Sale the husband of Fatna Kriaa was convicted of killing her for allegedly having an affair with his cousin.

Prostitution was prevalent, especially in urban centers. There were thousands of teenagers involved in prostitution. Although prostitution itself is against the law, the Government did not prosecute women who were coerced into providing sexual services. Trafficking in persons, particularly in child maids, was a problem (see Section 6.c. and 6.f.).

Women were subjected to various forms of legal and cultural discrimination. The civil law status of women is governed by the Code of Personal Status (known as the "Moudawana"), based on the Malikite school of Islamic law, and revised in 1993. Women's groups called attention to unequal treatment under the Code, particularly under the laws governing marriage, divorce, and inheritance. Women do not automatically lose child custody in divorce cases. However, the courts generally rule in favor of the parent who did not file for the divorce. Citizenship passes through the father.

Under the Criminal Code, women generally are accorded the same treatment as men, but this is not the case for family and estate law, which is based on the Code of Personal Status. Under the Code of Personal Status, women inherit only half as much as male heirs. Moreover, even in cases in which the law provides for equal status, cultural norms often prevented a woman from exercising those rights. For example, when a woman inherits property, male relatives may pressure her to relinquish her interest.

While many well-educated women pursue careers, few rise to the top echelons of their professions. Women constitute approximately 35 percent of the work force, with the majority in the industrial, service, and teaching sectors. In 1998 (the last official statistics available) the Government reported that the illiteracy rate for women was 67 percent (83 percent in rural areas), compared with 41 percent for men (50 percent in rural areas). Women in rural areas were most affected by inequality. Women who earned secondary school diplomas had equal access to university education.

The King and the Government continued to promote their proposal to reform the Personal Status Code in order to advance women's rights. Islamists and some other traditional segments of society firmly opposed the proposal, especially with respect to its more controversial elements, such as reform of women's legal status in marriage and family law issues.

In March 2001, the King and Prime Minister met with 40 representatives of women's organizations at the Royal Palace. The King subsequently established a Consultative Commission for the Moudawana. Several months later, a number of organizations formed a collective, the "Spring of Equality," to protest the lack of movement on the Code of Personal Status reform. The Spring of Equality continued to protest during the year over the lack of progress in reform.

Women made dramatic progress in the parliamentary elections (see Section 4). Many NGOs (76 by one count) worked to advance women's rights and to promote women's issues. Among these were the Democratic Association of Moroccan Women, the Union for Women's Action, and the Moroccan Association for Women's Rights, all of which advocated enhanced political and civil rights, as well as numerous NGOs that provided shelters for battered women, taught women basic hygiene, family

planning, and child care, and promoted literacy. In March on International Women's Day, 40 women's groups staged a sit-in in front of Parliament, demanding "Citizenship, Equality and Dignity for Women."

In February an NGO released the results of a study in Casablanca. According to the study of 300 single mothers, 31 percent were child maids under the age of 15; 28 percent were factory workers; 18 percent were unemployed; and 13 percent were adult housekeepers.

Children

The Government remained committed to the protection of children's welfare and attempted to do so within the limits of its budgetary resources. The law provides for compulsory education for children between the ages of 7 and 13; however, not all children between these ages attended school due to family decisions and shortfalls in government resources, and the Government did not enforce the law. School attendance between the ages of 7 and 13 was 98 percent.

The Government had difficulty addressing the problem of child labor (see Section 6.c. and 6.d.). Young girls were exploited as domestic servants on a very large scale (see Section 6.f.). Teenage prostitution in urban centers has been estimated in the thousands by NGO activists. The clientele consisted of both foreign tourists and citizens. More young girls than boys were involved.

The practice of adoptive servitude, in which urban families employ young rural girls and use them as domestic servants in their homes, was prevalent (see Sections 6.d. and 6.f.). Credible reports of physical and psychological abuse in such circumstances were widespread. Some orphanages have been charged as complicit in the practice. More often parents of rural girls "contracted" their daughters to wealthy urban families and collected the salaries for their work as maids. Adoptive servitude was accepted socially, was unregulated by the Government, and has only in recent years begun to attract public criticism. Since 2000 the National Observatory of Children's Rights (ONDE) has conducted a human rights awareness campaign regarding the plight of child maids.

The number of children working illegally as domestic servants was high: 45 percent of household employees under the age of 18 were between the ages of 10 and 12, and 26 percent were under the age of 10, according to a 2001 joint study by the Moroccan League for the Protection of Children and UNICEF. The legal minimum age of employment is 15 years. The report denounced the poor treatment a number of the children received, such as being forced to work all day with no breaks. The League demanded that the Government increase the minimum age for employment and strengthen the protection of child workers. The Government continued to have difficulty addressing the related problem of child labor in general (see Section 6.d). However, many children worked either as domestic servants, artisan "apprentices," or in some other capacity that kept them from attending school.

Another problem facing abandoned children of both sexes was their lack of civil status. Civil status is necessary to obtain a birth certificate, passport, or marriage license. If a father did not register his child, the child was without civil status and the benefits of citizenship. It is possible for an individual to self-register, but the process is long and cumbersome. While any child, regardless of parentage, may be registered within a month of birth, a court order is required if registration does not take place in that time.

In January the issue of sexual abuse of children received increased public attention, when a 9-year old girl, Loubna Mahjoubi, died following sexual abuse. Pavillion 28, a Casablanca center that performed forensic medical examinations on child victims, reported seeing 200 abused children during the year. Half of those cases were sexual abuse cases. Child sexual abuse may be increasing, and NGOs advocated stiffer sentences.

In April a new law provided that children born out of wedlock can now carry the father's name. Islamists criticized the new law. Single mothers were heavily stigmatized.

Persons with Disabilities

There are no laws to assist persons with disabilities. A high incidence of disabling disease, especially polio, has resulted in a correspondingly high number of persons with disabilities. The latest statistics from the Government estimated the number of persons with disabilities at 2.2 million, or 7 percent of the population. However, other estimates were as high as 3 million. While the Ministry of Social Affairs attempted to integrate persons with disabilities into society, in practice integration largely was left to private charities. The annual budget for the ministerial department in charge of affairs concerning persons with disabilities was only .01 percent of the overall annual budget. The Royal Family, through the use of the Mohammed V Solidarity Fund, continued to aid the country's disabled population. Nonprofit special-education programs were priced beyond the reach of most families. Typically, their families supported persons with disabilities; some survived by begging.

National/Racial/Ethnic Minorities

The official language is Arabic. Both French and Arabic were used in the news media and educational institutions. Science and technical courses were taught in French, thereby preventing the large, monolingual -Arabic-speaking population from participation in such programs. Educational reforms in the past decade have emphasized the use of Arabic in secondary

schools. However, failure to transform the university system similarly has led to the disqualification of many students from higher education in lucrative fields. The poor lacked the means to provide additional instruction in French to supplement the few hours per week taught in public schools.

Approximately 60 percent of the population claim Berber heritage, including the Royal Family. Berber cultural groups contended that Berber traditions and the Berber language were being lost rapidly. A number of Berber associations claimed that the Government refused to register births for children with traditional Berber names, discouraged the public display of the Berber language, limited the activities of Berber associations, and continued to Arabize the names of towns, villages, and geographic landmarks. Nevertheless, a full page of a major national newspaper was devoted on a monthly basis to articles and poems on Berber culture, which were printed in the Berber language. Official media broadcast in the Berber language for limited periods each day.

Section 6 Worker Rights

a. The Right of Association

Workers are free to establish and join trade unions, although the laws reportedly have not been implemented in some areas, and the unions were not completely free from government interference. About 600,000 of the country's 10 million workers were unionized in 17 trade union federations. Four federations dominated the labor scene: The Union Marocaine du Travail (UMT), the Confederation Democratique du Travail (CDT); the Union Generale des Travailleurs Marocains (UGTM); and the Islamist-oriented Union Nationale du Travail au Maroc (UNTM). Most were linked to political parties.

Union officers were sometimes subject to government pressure. Union leadership did not always uphold the rights of members to select their own leaders. There was no case of the rank and file voting out its current leadership and replacing it with another.

There is no law specifically prohibiting antiunion discrimination. Under the ostensible justification of "separation for cause," employers have dismissed workers for union activities that were regarded as threatening to employer interests.

According to the IFCTU, in November 2000, the management of a multinational textile factory in Sale responded to their employees' election of eight members of a trade union committee by firing all eight elected workers and posting a large banner at the factory entrance that read "NO UNION." The eight trade union leaders subsequently were harassed and assaulted by company security personnel. They were detained briefly at a police station. The Governor of Sale reportedly rejected publicly the existence of trade unions in his district. The eight workers ultimately returned to their jobs, and were able to establish a union.

The courts have the authority to reinstate such workers and were able to enforce rulings that compelled employers to pay damages and back pay. Unions may sue to have labor laws enforced, and employers may sue unions when they believe that unions have overstepped their authority.

Unions belonged to regional labor organizations and maintained ties with international trade union secretariats. The UMT was a member of the International Confederation of Free Trade Unions.

b. The Right to Organize and Bargain Collectively

The right to organize and bargain collectively is implied in the constitutional provisions on the right to strike and the right to join organizations; however, the laws governing collective bargaining were inadequate and often ignored in several companies and even within the public sector. Trade union federations competed among themselves to organize workers. Any group of eight workers may organize a union and a worker may change union affiliation easily. A work site may contain several independent locals or locals affiliated with more than one labor federation.

Collective bargaining has been a longstanding tradition in some parts of the economy, such as the industrial sector, and is becoming more prevalent in the service sector, including banking, health and the civil service. The wages and conditions of employment of unionized workers generally were set in discussions between employer and worker representatives. However, wages for the vast majority of workers were set unilaterally by employers. Labor disputes have arisen in some cases as the result of employers failing to implement collective bargaining agreements. The most serious recent example was the Government's failure to implement an agreement negotiated with the three major teachers' unions in December 2000. Following the Government's failure to include any needed adjustments in its 2002 budget, the major teachers' unions struck for 3 days in November 2001. The strike was met with police repression, leaving several teachers injured.

While workers have a right to strike, the law requires compulsory arbitration of disputes. Work stoppages normally were intended to advertise grievances and lasted 24 to 72 hours or less. Butchers in the Greater Casablanca region conducted the most effective strike. They carried out a work stoppage of more than a week to protest increased fees at a new abattoir.

Compared to the previous year, there was a significant drop in labor unrest, which CDT leaders claimed was due less to a "détente in social tensions" than to economic stagnation. Unions organized 166 work stoppages during the first 9 months of the

year resulting in 101,897 lost workdays, according to Labor Ministry statistics. During the corresponding first 9 months of 2001, there were 193 strikes resulting in 204,871 lost workdays.

During the year, the police were called out on several occasions to remove protesters who were members of the Moroccan Association of Unemployed College Graduates. In December police beat an estimated 30 unemployed graduates when they refused to disperse from the Moroccan Parliament building. Also in December the UMT complained that 24 union members at a plant in Kenitra were arrested for demanding the minimum wage of \$180 (1800 dirhams) per month. At various times, dockworkers at Casablanca Port were summarily dismissed for, as the UMT described it, "demanding their rights." Article 288 of the Penal Code, which the UMT wants repealed, permits employers to initiate criminal prosecutions of workers for stopping work if they strike. The Government has the authority to break up demonstrations in public areas that do not have government authorization, or to prevent the unauthorized occupancy of private space such as a factory.

In the past, the Government in a number of instances used security forces to break up demonstrating strikers, at times using excessive force in doing so. For example, in May 2001, 11 protesters were hospitalized after police forcibly removed them from a sit-in at the Ministry of Agriculture, and in October 2001 police violently broke up a sit-in at a strike by the port workers union USTPM.

There were no charges filed, nor are there likely to be, after investigations in the August 2000 incident in which the nephew of a private transportation company owner drove a bus into a crowd killing 3 strikers and injuring 12, nor in the February 2000 operation in Tarmilet where security forces arrested and injured dozens of striking workers using rubber bullets, tear gas, and water cannons.

Employers wishing to dismiss workers are required by law to notify the provincial governor through the labor inspector's office. In cases in which the employer plans to replace dismissed workers, a government labor inspector provides replacements and mediates the cases of workers who protest their dismissal. Any worker who is dismissed for committing a serious infraction of work rules is entitled by law to a court hearing that is a fundamental right and is strictly enforced.

In general the Government ensured the observance of labor laws in larger companies and in the public sector. In the informal economy, such as in the family workshops that dominated the handicrafts sector, employers routinely ignored labor laws and regulations, and government inspectors lacked the resources to monitor violations effectively.

Unions resorted increasingly to litigation to resolve labor disputes. The Ministry of Labor's 496 inspectors served as investigators and conciliators in labor disputes. According to the Ministry of Labor, its inspectors were able to help resolve some 713 potential strikes affecting 573 businesses during the first nine months of the year. It claimed that its staff, over the same period, helped to reinstate 3039 employees.

Labor law reform remained controversial. According to employer groups, the law makes it extremely difficult to fire or lay off permanent employees. The standard for legally firing a permanent employee is "serious error" committed by the employee, and the courts set the burden of proof very high. Reductions in force due to economic hardship also became mired in politics and were extremely hard to implement. Labor law applied equally to the small Tangier export zone. The proportion of unionized workers in the export zone was comparable to the rest of the economy, approximately 6 percent.

c. Prohibition of Forced or Bonded Labor

The law prohibits forced or bonded labor, including by children; however there were reports that such practices occurred (see Section 6.f.). However, in practice the Government lacked the resources to inspect places of employment to ensure that forced labor was not being used. Forced labor persisted in the practice of adoptive servitude in households (see Section 6.d.).

d. Status of Child Labor Practices and Minimum Age for Employment

In January the minimum employment age rose from 12 to 15. The minimum age applies to all sectors and includes apprenticed children and those in family businesses. Various laws provide protective measures for children under 16 at work. The law prohibits children under 16 from being employed more than 10 hours per day, including a minimum of a 1-hour break. All employees are limited to a maximum 48-hour regularly scheduled workweek.

Abuse of child labor laws was common, particularly in the informal sector. In practice children often were apprenticed before age 12, particularly in small family-run workshops in the handicraft industry. Children, particularly rural girls, also were employed informally as domestic servants and usually received little or no payment. Safety and health conditions, as well as wages in businesses that employ children often were substandard.

Ministry of Labor inspectors were responsible for enforcing child labor regulations, which generally were observed in the industrialized, unionized sector of the economy. However, the inspectors were not authorized to monitor the conditions of domestic servants. The Government maintained that the informal handicrafts sector was difficult to monitor.

The Government lacked the resources to enforce laws against child labor. There was also a general acceptance of the desirability of contributing to family income, as well as the presumption that it was necessary to start working at a young age to properly learn traditional handicraft skills.

A study of child maids in Casablanca in 2000 concluded that approximately 13,000 girls under age 15 were employed there as child maids. Another study concluded there were 20,000 child maids in the country's other major cities. The study also concluded that over 80 percent of the child maids were illiterate and that over 80 percent came from rural areas. In about half of the cases, the child maid received no pay, or her pay went directly to her family. Many child maids reported long working hours, no rest breaks, and abusive conditions. Four percent reported being sexually abused in the employer's household.

As a result, the Ministry of Education, in cooperation with the Ministry of Health and UNICEF, as well as domestic NGOs such as the Moroccan League for the Protection of Children (LMPE) and National Observatory of the Rights of Children (ONDE), attempted to address the problem. They have sought to increase possibilities for child maids to receive education, health care and job training, and the opportunity to return to their families or leave their employers. Three child welfare NGOs operated centers for these purposes that received private contributions and governmental and foreign funding.

Along with UNICEF and several domestic NGOs, the ILO had several ongoing programs to attempted to provide child maids and other working children, particularly young ostensibly apprentice artisans, rudimentary education, health care, and leisure activities.

e. Acceptable Conditions of Work

In July 2000, the Government increased the minimum wage by 10 percent to approximately \$180 (1,800 dirhams) per month in the industrialized sector and to approximately \$9 (90 dirhams) per day for agricultural workers; however, businesses in the extensive informal sector often ignored the minimum wage requirements. Neither the minimum wage for the industrialized sector nor the wage for agricultural workers provided a decent standard of living for a worker and family, even with government subsidies for food, diesel fuel, and public transportation. Unions continued to appeal unsuccessfully for a minimum wage of approximately \$180 (1,800 dirhams) per month. In many cases, several family members combined their income to support the family. Most workers in the industrial sector earned more than the minimum wage. They generally were paid between 13 and 16 months' salary, including bonuses, each year.

The minimum wage was not enforced effectively in the informal and handicraft sectors. However, the government pay scale exceeded the minimum wage for workers at the lowest civil service grades. To increase employment opportunities, the Government allowed firms to hire recent graduates for a limited period through a subsidized internship program at less than the minimum wage. However, due to economic conditions, most were not offered full-time employment at the conclusion of their internships. According to the Government, the unemployment rate was 12 percent, but some union leaders contend that a more accurate figure, including underemployment, would be approximately 35 percent.

The law provides for a 48-hour maximum workweek, with no more than 10 hours worked in any single day, premium pay for overtime, paid public and annual holidays, and minimum conditions for health and safety, including a prohibition on night work for women and minors. As with other labor regulations and laws, these were not observed universally and were not enforced effectively by the Government in all sectors.

Occupational health and safety standards were rudimentary, except for a prohibition on the employment of women in certain dangerous occupations. The labor inspectors attempted to monitor working conditions and investigate accidents, but lacked sufficient resources. While workers in principle had the right to remove themselves from work situations that endangered health and safety without jeopardizing their continued employment, there were no reports of workers attempting to exercise this right.

f. Trafficking in Persons

The law does not specifically prohibit trafficking in persons; under the Penal Code perpetrators were prosecuted either for fraud, corruption of minors, or as persons who forced others into prostitution. Trafficking in persons was a problem.

Prostitution was prevalent, particularly in cities with large numbers of tourists, as well as near towns with large military installations (see Section 5). Prostitution of minors took place in the village of El Hajeb near Meknes that attracted sex tourists from Europe and the Gulf. NGO activists estimated that there were thousands of teenage prostitutes in urban centers. Women and girls were sometimes forced into prostitution.

Women also were trafficked abroad. For example, in June police broke up a trafficking ring in Meknes, based on the testimony of victims who had escaped from Syria and the UAE and returned to Morocco. The victims testified that they were hired as domestics, but once in Syria and the United Arab Emirates, they were forced to work as nightclub "dancers" and prostitutes. They further testified that other young women remained in Syria, waiting to be rescued.

Internal trafficking was also a problem, particularly for women for sexual exploitation or of young girls for domestic service.

Due to fiscal constraints, the Government did not provide direct funding to NGOs offering services to victims of trafficking. However, the Government did provide in-kind support. In terms of prevention, the Government supported modest programs aimed at keeping children in school, improving education opportunities for rural girls, and expanding economic opportunities in high-risk areas.

The country was also a transit point for trafficking and alien smuggling to Europe. Hundreds of citizens and foreigners, most from sub-Saharan Africa, drown annually attempting to cross the Strait of Gibraltar.